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81

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
09/269,837	04/26/99	JONES	6313-63761

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MMC2/0630

EXAMINER
WINSTEDT, J

ART UNIT	PAPER NUMBER
2872	

DATE MAILED: 06/30/00

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademarks



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SERIAL NUMBER	FILING DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NO.
09/069,837	4/26/99	Jones	11934-0005

EXAMINER	
Winsteadt, Jennifer	
ART UNIT	PAPER NUMBER
2872	11

DATE MAILED:

This is a communication from the examiner in charge of your application.

COMMISSIONER OF PATENTS AND TRADEMARKS

1. ☒ The communication filed 4/24/00 is informal/non-responsive for the reason(s) checked below and should be corrected. APPLICANT IS GIVEN ONE MONTH FROM THE DATE OF THIS LETTER OR UNTIL THE EXPIRATION OF THE PERIOD FOR RESPONSE SET IN THE LAST OFFICE ACTION (WHICHEVER IS LONGER) WITHIN WHICH TO CORRECT THE INFORMALITY.

- a. ☐ The amendment to claim(s) _____, filed _____, fails to comply with the provisions of 37 C.F.R. 1.121 and is accordingly held to be non-responsive. A supplemental paper correcting the informal portions and complying with the rule is required.
- b. ☐ The paper is unsigned. A duplicate paper or ratification, properly signed, is required.
- c. ☐ The paper is signed by _____, who is not of record. A ratification or a new power of attorney with a ratification, or a duplicate paper signed by a person of record, is required.
- d. ☐ The communication is presented on paper which will not provide a permanent copy. A permanent copy, or a request that a permanent copy be made by the Office at applicant's expense, is required, see M.P.E.P. 714.07.

- e. ☒ Other Election of species is improper.

Cassandra Spyrou

Supervisory Patent Examiner
Technology Center 2800

2. ☐ In accordance with applicant's request, THE PERIOD FOR RESPONSE FROM THE OFFICE ACTION IS EXTENDED TO RUN _____ MONTH(S).
No further extension will be granted unless approved by the Commissioner. 37 C.F.R. 1.136 (b)
3. ☐ Receipt is acknowledged of papers submitted under 35 U.S.C. 119 which papers have been made of record in the file.
4. ☒ Other

The election of the species disclosed in figures 38-40 is improper because figures 38-40 have not been indicated to be a single species.

The election of species 7 is improper because it is indicated as provisional and contradicts the election of the species ^{disclosed} in figures 38-40, thereby making it uncertain what species the applicant wants to elect.

It is noted that not all of the claims were grouped into a species or declared generic. For clarity's sake, a list of the species and the claims that belong to each species is provided on a separate piece of sheet.

Attorney ✓

Application Number: 09/269837

List of Species

Species I: claims 2, 3, 4, 5, 6, 20, and 21;

Species II: claims 7 and 18;

Species III: claim 8;

Species IV: claims 9 and 19;

Species V: claim 13;

Species VI: claim 14; and

Species VII: claim 17

Generic claims: 1, 10, 11, 12, 15, and 16